

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael HOUGHTON et al.

Application No.: 08/441,443

Confirmation No.: 1917

Filed: May 15, 1995

Art Unit: 1631

For: NANBV DIAGNOSTICS AND VACCINES

Examiner: M. Zeman

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Renewed Petition is in response to the Decision on Petition dated September 2, 2008 for which a response was due on November 8, 2008. This response is filed with a petition for a four-months' extension of time. Accordingly, this response is timely filed.

REMARKS

The Decision on the petition to revive an unintentionally abandoned patent application was denied on the grounds that the requirement to include a terminal disclaimer with the petition was not met. Filed with this renewed petition is a power of attorney granting the undersigned, among others, power of attorney for the instant application. In addition, a replacement terminal disclaimer is filed herewith. Finally, courtesy copies of the other materials filed with the petition to revive an unintentionally abandoned patent application are filed herewith. Applicants respectfully assert that the requirements for the renewed petition have been met.

CONCLUSION

In view of the foregoing, applicants respectfully submit that the pending claims fully satisfy the written description requirement and respectfully request withdrawal of the outstanding rejection and allowance of the claims.

Finally, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 223002006316. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 18, 2009

Respectfully submitted,

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